



**NAPOLI  
SHKOLNIK PLLC**  
ATTORNEYS AT LAW

December 2, 2019

Hon. Ronnie Abrams  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

ENDORSEMENT: Plaintiffs' Letter-Motion is DENIED as there is no valid basis for a preclusion order to be entered. The parties shall meet and confer with respect to the scheduling of Plaintiffs' depositions and independent medical examinations. If agreement cannot be reached between the parties by Friday, 12/6/19, the parties shall so advise Judge Aaron so that he can schedule a telephone conference to resolve any disputes. SO ORDERED.

Dated: 12/4/19

**Re: *Quinn v. Consolidated Edison Company of New York, Inc.***  
Docket No.: 19-CV-6538 (RA)  
Our File No.: CTY 047568

Your Honor:

Please be advised that Mr. and Mrs. Quinn live in Massachusetts and are coming to New York during the week of December 9, 2019, for their respective depositions.

The office of the undersigned has repeatedly requested that counsel for defendants schedule their independent examinations during plaintiff's time in New York; however, defendants have failed to designate such examinations despite multiple requests to do so. Therefore, plaintiff's move this court for an order determining that defendants have waived such physical examinations and are therefore precluded from offering such evidence at time of trial.

Please feel free to contact me at (212) 397-1000 (office) or (917) 922-1595 (mobile).

Thank you.

Very truly yours,

Joseph P. Napoli, Esq.

JPN/ir

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